

**RELIEF FROM STAY SUMMARY SHEET**

\* \* \* INSTRUCTIONS ON FORM EDC 3-468-INST \* \* \*  
 COMPLETE ALL PORTIONS APPLICABLE TO THE RELIEF FROM STAY MOTION.  
 THIS IS IN THE NATURE OF A PRETRIAL STATEMENT AND IS NOT EVIDENCE.

DEBTOR: EURISKO DEVELOPMENT LLC CASE NO. 20-22156

MOVANT: Kenny Kwong DC NO. KWY-002

HEARING DATE/TIME: May 12, 2020 at 2:00 p.m.

**RELIEF IS SOUGHT AS TO:**

- ☒ **REAL PROPERTY** Assessor Parcel Number (APN): 262-141-014  
☐ **PERSONAL PROPERTY** If applicable, Vehicle Identification Number (VIN): \_\_\_\_\_  
☐ **STATE COURT LITIGATION**

1. Address OR description of property or state court action: 9 La Noria Way, Orinda, California 94563

2. Movant's trust deed is a ☐ 1st ☒ 2nd ☐ 3rd ☐ Other: \_\_\_\_\_  
 OR

Leased property is ☐ Residential ☐ Non-residential Term: ☐ Month-to-Month ☐ Other

3. Verified appraisal filed? No Movant's valuation of property: \$ 2,000,000.00

4. The following amounts are presently owing to movant for:

PRINCIPAL	INTEREST	COSTS	TOTAL
\$ <u>278,000.00</u>	\$ <u>50,429.80</u>	\$ <u>6,252.92</u>	\$ <u>334,682.72</u>

5. State identity, rank, and balance owing to other known lien holders. Use additional page(s) if necessary.

ECL (1st position) \$ 1,150,000.00

Kenny Kwong (2nd position) \$ 334,682.72

\_\_\_\_\_ \$ \_\_\_\_\_

TOTAL ALL LIENS \$ 1,484,682.72

DEBTOR'S EQUITY \$ 515,317.28

6. Monthly payment is \$ 3,142.29, of which \$ 0.00 is for impound account. Monthly late charge is \$ 314.00.

7. The last payment by debtor was received on n/a and was applied to the payment due n/a.

8. Number of payments past due and amount: (a) Pre-petition 10 \$ 31,422.90 (b) Post-petition \_\_\_\_\_ \$ \_\_\_\_\_.

9. Notice of Default was recorded on 8/6/2019. Notice of sale was published on 11/12/2019.

10. If a chapter 13 case, in what class is this claim? \_\_\_\_\_

11. Grounds for seeking relief (check as applicable):

- ☒ § 362(d)(1) ☐ § 362(d)(2) ☐ § 362(d)(3) ☒ § 362(d)(4)  
☒ Cause ☐ Inadequate protection ☐ Lack of equity ☐ Lack of insurance ☒ Bad faith  
☐ Surrendered pursuant to Statement of Intention. ☐ Report of No Distribution has been filed.  
☐ Other \_\_\_\_\_